

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF  
OHIO, WESTERN DIVISION

PLINIO ALVARADO QUINONEZ,	)	CASE NO. 3:21-CV-159
	)	
Plaintiff,	)	JUDGE WALTER H. RICE
	)	
v.	)	
	)	
IMI MATERIAL HANDLING LOGISTICS,	)	
INC., a Nevada for-profit corporation, et al.	)	
	)	
Defendants.	)	

**ORDER AND ENTRY OF JUDGMENT**

This matter came before the Court upon motion of Defendant, IMI Material Handling Logistics, Inc., for Judgment on the Pleadings and the argument and authority filed. Plaintiff Plinio Alvarado Quinonez has failed to oppose the Motion and has not requested any extensions of time to do so. Accordingly, the Court finds said motion to be well taken.

It is therefore ordered, adjudged and decreed that Defendant is entitled to judgment in its favor as a matter of law pursuant to Fed. Civ. R. P. 12(C) as to Count II (Common Law Employer Intentional Tort), Count III (Employer Duty to Protect Employees and Frequenters per R.C. 4101.11); Count IV (Employer Duty to Furnish Safe Place of Employment per R.C. 4101.12); Count V (Negligent Hiring); and Count VI (Negligence). Judgment is entered in favor of Defendant IMI on Counts II-VI claims of Plaintiff's Complaint. The only remaining claim against IMI by Plaintiff is Count I (Deliberate Intent per R.C. 2745.01).

THERE IS NO JUST REASON FOR DELAY PURSUANT TO FED. CIV. R. P. 54(B).

IT IS SO ORDERED.

7-21-22  
DATE

Walter H. Rice  
JUDGE WALTER H. RICE

\*Pursuant to Civ.R. 58(B), the Clerk is instructed to serve all parties not in default for failure to appear.